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REMARKS

Claims 1, 2, 4-7, and 9-20 are pending in the instant application. Claim 6 has been
rejected under 35 USC 112. Claims 1, 2, 4-7, and 9-20 have been rejected under 35 USC 103(a).
Claims 1, 6, and 11-13 have been amended. The Applicant submits that claims 1, 2, 4-7, and 9-
20 are in condition for allowance for at least the reasons presented herein. No new matter has
been entered.

Claim Rejections Under 35 USC § 112

Claim 6 has been rejected under 35 U.S.C. 112, second paragraph, as being allegedly
indefinite for failing to particularly point out and distinctly claim the subject matter which
applicant regards as the invention. As indicated by the Examiner, the ambiguity raised by the
claim is whether the method reflects that multiple parameters can be accepted, yet only one
parameter is utilized at a time, or whether multiple parameters are used contemporaneously. The
Applicant has amended claim 6 to reflect that multiple parameters may be accepted and utilized
contemporaneously. Support for this amendment may be found through the specification and, in
particular, on page 2, lines 17-21 and, e.g., in Figure 1, parameters X, Y used together by the
account server 10.

Claim Rejections Under 35 USC § 103

Claims 1-2, 4-7, and 9-20 stand rejected under 35 U.S.C. 103(a) as being allegedly
unpatentable over U.S. Patent No. 5,878,337 issued to Joao, et al. (hereinafter "Joao"), in further
view of U.S. Patent Application Publication No. 2003/020684 to Camacho et al. (hereinafter
"Camacho"). The Applicant traverses the outstanding rejections and submits that claims 1, 2, 4-
7, and 9-20 are in condition for allowance.

For an obviousness rejection to be proper, the Examiner must meet the burden of
establishing that all elements of the invention are disclosed in the prior art; that the prior art

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relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

The Applicants submit that claims 1, 2, 4-7, and 9-20 are not rendered obvious by Camacho in view of Joao. The Applicant has amended claim 1 in a non-narrowing manner to recite "comparing an actual value (a) with a preset parameter *at an account server*, the preset parameter defined by the account holder; deriving the information (Z) in response to a transaction (n) that influences the actual value (a), *the transaction (n) occurring between an account user and a purchasing entity*; and providing the information (Z) to the account holder through the device, the device associated with the account holder; *wherein the information (Z) includes an account balance of the account holder.*" Support for these features may be found in the Applicant's specification and, in particular, on page 6, lines 19-21; page 7, line 22 through page 8, line 8; Figure 3C—where the purchasing entity refers to shop 7). These features are neither taught, nor rendered obvious by, the cited references, either alone or in combination. Camacho is devoid of teaching providing an account balance of an account holder, but rather is directed to a method of providing secure processing of information for verification and authentication of individuals. Joao provides information concerning a transaction, e.g., "the name of the store or the service provider and the amount of the transaction...the time of the transaction, the location (i.e., city, town, village, state, country, etc.) of the transaction...the phone number of the central processing office and/or computer servicing the account...the type of goods and/or services involved in the transaction" (column 6, lines 18-32). This type of information disclosed in Joao deals with point-of-sale specific information. However, Joao does not teach or suggest providing an account balance to the account holder. The only reference to account information is provided with respect to Figures 4 and 5, in which the transaction occurs directly between the account holder and the financial institution, and not through a point-of-sale transaction. By contrast, the

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account balance (via information (Z)) is derived by implementing the comparing and deriving features provided in Applicant's claim 1.

Accordingly, the Applicant submits that neither Camacho, nor Joao, either alone or in combination teach or make obvious the features provided in Applicant's claim 1. Claims 11, 12, and 13 recite a storage medium, computer program product and system for providing information (Z) indicative of an account status to an account holder. Claims 11, 12, and 13, as amended, recite features substantially similar to those provided in amended claim 1. For at least these reasons, the Applicant submits that claims 11, 12, and 13 patentably define over Camacho in view of Joao. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections. Claims 2, 4-7, 9, 10, and 15 depend from what should be an allowable claim 1. Claims 16 and 17 depend from what should be an allowable claim 11. Claims 18-20 depend from what should be an allowable claim 13. For at least these reasons, the Applicant submits that claims 2, 4-7, 9, 10, 15, and 16-20 are also in condition for allowance and respectfully request reconsideration and withdrawal of the outstanding rejections.

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PAGE 11/12 * RCVD AT 12/27/2005 4:13:43 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/33 * DNIS:2738300 * CSID:8602860115 * DURATION (mm-ss):03-56

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Conclusion

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that claims 1, 2, 4-7, and 9-20 are in condition for allowance. Accordingly, reconsideration and allowance is respectfully requested.

In the event the Examiner has any questions regarding this Amendment, Applicant's attorneys respectfully request the courtesy of a telephone conference.

In the event that there are any additional fees with respect to this Amendment, Applicant's attorneys respectfully request that such fees be withdrawn from Deposit Account No. 09-0468.

Respectfully submitted,

Date Mailed: December 27, 2005

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